



AF TIFW

**AMENDMENT TRANSMITTAL**

**PATENT**

Application No.: 10/785,553  
Filing Date: February 23, 2004  
First Named Inventor: Christian Lowe et al.  
Examiner's Name: Brown, Michael A.  
Art Unit: 3772  
Attorney Docket No.: 6701P034C

- ☒ An Amendment After Final Action (37 CFR 1.116) is attached and applicant(s) request expedited action.  
☒ Charge any fee not covered by any check submitted to Deposit Account No. 02-2666.  
☒ Applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 CFR 1.16 and 1.17, for any concurrent or future reply to Deposit Account No. 02-2666.  
\_\_\_\_ Applicant(s) claim small entity status (37 CFR 1.27).

**ATTACHMENTS**

- \_\_\_\_ Preliminary Amendment  
\_\_\_\_ Amendment/Response with respect to Office Action  
☒ Amendment/Response After Final Action (37 CFR 1.116) (reminder: consider filing a Notice of Appeal)  
\_\_\_\_ Notice of Appeal  
\_\_\_\_ RCE (Request for Continued Examination)  
\_\_\_\_ Supplemental Declaration  
\_\_\_\_ Terminal Disclaimer (reminder: if executed by an attorney, the attorney must be properly of record)  
\_\_\_\_ Information Disclosure Statement (IDS)  
\_\_\_\_ Copies of IDS citations  
\_\_\_\_ Petition for Extension of Time  
☒ Fee Transmittal Document (that includes a fee calculation based on the type and number of claims)  
\_\_\_\_ Cross-Reference to Related Application(s)  
\_\_\_\_ Certified Copy of Priority Document  
\_\_\_\_ Other: \_\_\_\_\_  
\_\_\_\_ Other: \_\_\_\_\_  
\_\_\_\_ Check(s)  
☒ Postcard (Return Receipt)

**SUBMITTED BY:**

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

TYPED OR PRINTED NAME: James C. Scheller, Jr.

SIGNATURE: \_\_\_\_\_

REG. NO.: 31,195

DATE: Oct. 6, 2008

ADDRESS: 1279 Oakmead Parkway

Sunnyvale, California 94085-4040

TELEPHONE NO.: (408) 720-8300

**CERTIFICATE OF MAILING BY FIRST CLASS MAIL (if applicable)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria Virginia 22313-1450 on October 6, 2008

Date of Deposit

Deborah A. McGovern

Name of Person Mailing Correspondence

Deborah A. McGovern  
Signature

October 6, 2008

Date

Express Mail Label No. (if applicable): \_\_\_\_\_

**Send to:** COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, Virginia 22313-1450

(10/14/03)

**FEE TRANSMITTAL FOR FY 2009**

(Effective on 10/02/2008. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).)

TOTAL AMOUNT OF PAYMENT (\$) 0.00

## Complete if Known:

Application No. 10/785,553  
Filing Date February 23, 2004  
First Named Inventor Christian Lowe et al.  
Examiner Name Brown, Michael A.  
Art Unit 3772  
Attorney Docket No. 6701P034C

☒ Applicant claims small entity status. See 37 CFR 1.27.

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☒ None ☐ Other (please identify)☒ Deposit AccountDeposit Account Number : 02-2666

Deposit Account Name: \_\_\_\_\_

☒ The Director is Authorized to do the following with respect to the above-identified Deposit Account:☐ Charge fee(s) indicated below.☒ Charge any additional fee(s) or underpayment of fee(s) during the pendency of this application.☐ Charge fee(s) indicated below except for the filing fee☒ Credit any overpayments.☒ Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.

Warning: Information on this form may become public. Credit card information should not be included on this form.  
Provide credit card information and authorization on PTO-2038.

## FEE CALCULATION

## 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Large Entity		Small Entity		Fee Description		Fees Paid (\$)
Fee Code	Fee (\$)	Fee Code	Fee (\$)			
1011	330	2011	165	Utility application filing fee	1,090/545	_____
1111	540	2111	270	Utility search fee		_____
1311	220	2311	110	Utility examination fee		_____
1012	220	2012	110	Design application filing fee	460/230	_____
1112	100	2112	50	Design search fee		_____
1312	140	2312	70	Design examination fee		_____
1013	220	2013	110	Plant filing fee	720/360	_____
1113	330	2113	165	Plant search fee		_____
1313	170	2313	85	Plant examination fee		_____
1004	850	2004	425	Reissue filing fee	2,040/1,020	_____
1114	540	2114	270	Reissue search fee		_____
1314	650	2314	325	Reissue examination fee		_____
1005	220	2005	110	Provisional application filing fee		_____
SUBTOTAL (1)						<u>\$0.00</u>

**2. EXCESS CLAIM FEES****Fee Description****Large Entity      Small Entity****Fee      Fee      Fee      Fee****Code      (\$)      Code      (\$)      Fee Description**

1202      52      2202      26      Each claim over 20

1201      220      2201      110      Each independent claim over 3

1203      390      2203      195      Multiple dependent claims, if not paid

1204      220      2204      110      Reissue: each claim over 20 and more than in the original patent

1205      52      2205      26      Reissue: each independent claim more than in the original patent

**Extra Claims****Fee****Fees Paid (\$)****Total Claims**      14      - 20 or HP =      \_\_\_\_\_

HP = highest number of total claims paid for, if greater than 20

X      \$ 26.00      =      \_\_\_\_\_

**Independent Claims**      3      - 4 or HP =      \_\_\_\_\_

HP = highest number of independent claims paid for, if greater than 3

X      \$ 110.00      =      \_\_\_\_\_

**Multiple Dependent Claims**

\_\_\_\_\_ = \_\_\_\_\_

**SUBTOTAL (2)**      \$ 0.00**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 C.F.R. 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

**Total Sheets**      **Extra Sheets**      **Number of each additional 50 or fraction thereof**      **Fee from below**      **Fees paid (\$)**

\_\_\_\_\_ - 100 = \_\_\_\_\_ / 50 = \_\_\_\_\_ (round up to whole number)      X      \$ 135.00      \_\_\_\_\_

**Large Entity      Small Entity****Fee      Fee      Fee      Fee****Code      (\$)      Code      (\$)      Fee Description: Application size fee for each additional group of 50 sheets beyond initial 100 sheets (count spec & drawings except sequences & program listings):**

1081      270      2081      135      Utility

1082      270      2082      135      Design

1083      270      2083      135      Plant

1084      270      2084      135      Reissue

**SUBTOTAL (3)**      \$ 0.00

**FEE CALCULATION (continued)****4. OTHER FEE(S)**

				<b>Fees Paid (\$)</b>	
Non-English Specification, \$130 fee (no small entity discount)					
<u>Large Entity</u>		<u>Small Entity</u>			
Fee	Fee	Fee	Fee		
Code	(\$)	Code	(\$)	<u>Fee Description</u>	
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1813	8,800	1813	8,800	Request for inter parties reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	130	2251	65	Extension for reply within first month	
1252	490	2252	245	Extension for reply within second month	
1253	1,110	2253	555	Extension for reply within third month	
1254	1,730	2254	865	Extension for reply within fourth month	
1255	2,350	2255	1,175	Extension for reply within fifth month	
1401	540	2401	270	Notice of Appeal	
1402	540	2402	270	Filing a brief in support of an appeal	
1403	1,080	2403	540	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	540	2452	270	Petition to revive - unavoidable	
1453	1,620	2453	810	Petition to revive - unintentional	
1501	1,510	2501	755	Utility issue fee (or reissue)	
1502	860	2502	430	Design issue fee	
1503	1,190	2503	595	Plant issue fee	
1462	400	1462	400	Petitions to the Commissioner (CFR 1.17(f) Group I)	
1463	200	1463	200	Petitions to the Commissioner (CFR 1.17(g) Group II)	
1464	130	1464	130	Petitions to the Commissioner (CFR 1.17(h) Group III)	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	810	2809	405	For filing a submission after final rejection (see 37 CFR 1.129(a))	
1814	140	2814	70	Statutory Disclaimer	
1810	810	2810	405	For each additional invention to be examined (see 37 CFR 1.129(b))	
1801	810	2801	405	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
1504	300	1504	300	Publication fee for early, voluntary, or normal pub.	
1505	300	1505	300	Publication fee for republication	
1803	130	1803	130	Request for voluntary publication or republication	
1808	130	1808	130	Processing fee under 37 CFR 1.17(i) (except provisionals)	
1454	1,410	1454	1,410	Acceptance of unintentionally delayed claim for priority	
Other fee (specify) _____					
Other fee (specify) _____					
				<b>SUBTOTAL (4)</b>	<b>\$0.00</b>

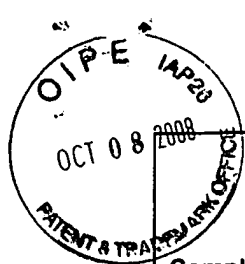
\*Reduced by Basic Filing Fee Paid

**SUBMITTED BY:**Typed or Printed Name: James C. Scheller, Jr.

Signature: \_\_\_\_\_

Date: Oct. 6, 2008Reg. Number: 31,195Telephone Number: 408-720-8300

Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

**FEE TRANSMITTAL FOR FY 2009**

(Effective on 10/02/2008. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).)

**TOTAL AMOUNT OF PAYMENT (\$)** 0.00**Complete if Known:**

Application No. 10/785,553  
Filing Date February 23, 2004  
First Named Inventor Christian Lowe et al.  
Examiner Name Brown, Michael A.  
Art Unit 3772  
Attorney Docket No. 6701P034C

☒ **Applicant claims small entity status. See 37 CFR 1.27.****METHOD OF PAYMENT** (check all that apply)☐ Check ☐ Credit Card ☐ Money Order ☒ None ☐ Other (please identify)☒ **Deposit Account**Deposit Account Number : 02-2666

Deposit Account Name: \_\_\_\_\_

☒ **The Director is Authorized to do the following with respect to the above-identified Deposit Account:**☐ Charge fee(s) indicated below.☒ Charge any additional fee(s) or underpayment of fee(s) during the pendency of this application.☐ Charge fee(s) indicated below except for the filing fee☒ Credit any overpayments.☒ Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.

Warning: Information on this form may become public. Credit card information should not be included on this form.  
Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Large Entity		Small Entity		Fee Description		Fees Paid (\$)
Fee Code	Fee (\$)	Fee Code	Fee (\$)			
1011	330	2011	165	Utility application filing fee	1,090/545	
1111	540	2111	270	Utility search fee		
1311	220	2311	110	Utility examination fee		
1012	220	2012	110	Design application filing fee	460/230	
1112	100	2112	50	Design search fee		
1312	140	2312	70	Design examination fee		
1013	220	2013	110	Plant filing fee	720/360	
1113	330	2113	165	Plant search fee		
1313	170	2313	85	Plant examination fee		
1004	850	2004	425	Reissue filing fee	2,040/1,020	
1114	540	2114	270	Reissue search fee		
1314	650	2314	325	Reissue examination fee		
1005	220	2005	110	Provisional application filing fee		
<b>SUBTOTAL (1)</b>						<b>\$0.00</b>

**2. EXCESS CLAIM FEES****Fee Description**

<u>Large Entity</u>		<u>Small Entity</u>	
Fee	Fee	Fee	Fee
Code	(\$)	Code	(\$)
1202	52	2202	26
1201	220	2201	110
1203	390	2203	195
1204	220	2204	110
1205	52	2205	26

**Fee Description**

Each claim over 20  
 Each independent claim over 3  
 Multiple dependent claims, if not paid  
 Reissue: each claim over 20 and more than in the original patent  
 Reissue: each independent claim more than in the original patent

	<u>Extra Claims</u>	<u>Fee</u>	<u>Fees Paid (\$)</u>
Total Claims <u>14</u> - 20 or HP = _____		X \$ 26.00 = _____	
HP = highest number of total claims paid for, if greater than 20			
Independent Claims <u>3</u> - 4 or HP = _____		X \$ 110.00 = _____	
HP = highest number of independent claims paid for, if greater than 3			
Multiple Dependent Claims _____		= _____	
		<b>SUBTOTAL (2)</b>	<b>\$ 0.00</b>

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 C.F.R. 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee from below</u>	<u>Fees paid (\$)</u>
_____	- 100 = _____	/ 50 = _____ (round up to whole number)	X \$ 135.00	_____

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description: Application size fee for each additional group of 50 sheets beyond initial 100 sheets (count spec &amp; drawings except sequences &amp; program listings):</u>
Fee	Fee	Fee	Fee	
Code	(\$)	Code	(\$)	
1081	270	2081	135	Utility
1082	270	2082	135	Design
1083	270	2083	135	Plant
1084	270	2084	135	Reissue

**SUBTOTAL (3)** \$ 0.00

**FEE CALCULATION (continued)****4. OTHER FEE(S)****Fees Paid (\$)**

Non-English Specification, \$130 fee (no small entity discount)

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>	
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1813	8,800	1813	8,800	Request for inter parties reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	130	2251	65	Extension for reply within first month	
1252	490	2252	245	Extension for reply within second month	
1253	1,110	2253	555	Extension for reply within third month	
1254	1,730	2254	865	Extension for reply within fourth month	
1255	2,350	2255	1,175	Extension for reply within fifth month	
1401	540	2401	270	Notice of Appeal	
1402	540	2402	270	Filing a brief in support of an appeal	
1403	1,080	2403	540	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	540	2452	270	Petition to revive - unavoidable	
1453	1,620	2453	810	Petition to revive - unintentional	
1501	1,510	2501	755	Utility issue fee (or reissue)	
1502	860	2502	430	Design issue fee	
1503	1,190	2503	595	Plant issue fee	
1462	400	1462	400	Petitions to the Commissioner (CFR 1.17(f) Group I)	
1463	200	1463	200	Petitions to the Commissioner (CFR 1.17(g) Group II)	
1464	130	1464	130	Petitions to the Commissioner (CFR 1.17(h) Group III)	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	810	2809	405	For filing a submission after final rejection (see 37 CFR 1.129(a))	
1814	140	2814	70	Statutory Disclaimer	
1810	810	2810	405	For each additional invention to be examined (see 37 CFR 1.129(b))	
1801	810	2801	405	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
1504	300	1504	300	Publication fee for early, voluntary, or normal pub.	
1505	300	1505	300	Publication fee for republication	
1803	130	1803	130	Request for voluntary publication or republication	
1808	130	1808	130	Processing fee under 37 CFR 1.17(i) (except provisionals)	
1454	1,410	1454	1,410	Acceptance of unintentionally delayed claim for priority	

Other fee (specify) \_\_\_\_\_

Other fee (specify) \_\_\_\_\_

**SUBTOTAL (4) \$0.00**

\*Reduced by Basic Filing Fee Paid

**SUBMITTED BY:**Typed or Printed Name: James C. Scheller, Jr.Signature: [Signature]Date: Oct. 6, 2008Reg. Number: 31,195Telephone Number: 408-720-8300

Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450



Attorney's Docket No.: 6701P034C

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Christian Lowe et al.

Examiner: Brown, Michael A.

Application No.: 10/785,553

Art Unit: 3772

Filed: February 23, 2004

Confirmation No.: 8140

For: DEPLOYMENT ACTUATION  
SYSTEM FOR INTRAFALLOPIAN  
CONTRACEPTION

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

AMENDMENT

Examiner:

In response to the Final Office Action mailed August 6, 2008, please enter this amendment and consider the remarks.

**FIRST-CLASS CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail with sufficient postage in an envelope addressed to the Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia, 22313-1450, on:

October 6, 2008

Date of Deposit

Deborah A. McGovern

Name of Person Mailing Correspondence

Deborah A. McGovern

Signature

October 6, 2008

Date

Christian Lowe et al.  
Serial No: 10/785,553

Examiner: Brown, Michael A.  
Art Unit: 3772